

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2007-011100

08/22/2007

JUDGE ROBERT E. MILES

CLERK OF THE COURT
K. Ballard
Deputy

BASIS SCHOOL INC, et al.

CLINT BOLICK

v.

TOM HORNE, et al.

SUSAN PLIMPTON SEGAL

PRETRIAL CONFERENCE

9:33 a.m. In chambers: This is the time set for Pretrial Conference. Plaintiffs are represented (telephonically) by counsel, Clint Bolick. Defendants are represented (telephonically) by counsel, Chad B. Sampson and Kim S. Anderson (appearing for Susan Plimpton Segal).

Court reporter is not present.

Discussion is held regarding the procedure for moving this case forward. In that regard, counsel indicate they will be proceeding with cross-Motions for Summary Judgment.

IT IS ORDERED the Motions for Summary Judgment shall be filed no later than **November 2, 2007**. Responses shall be filed no later than **November 14, 2007**. Counsel have agreed that no replies will be filed.

IT IS FURTHER ORDERED setting this matter for oral argument on **November 20, 2007 at 1:30 p.m.** in this division:

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Judge ROBERT E. MILES
Maricopa County Superior Court
Old Courthouse
125 W. Washington, Courtroom 303
Phoenix, Arizona 85003
(602) 372-0754

Unless otherwise advised by the Court at oral argument, the parties should assume that the Court has reviewed the parties' memoranda. Accordingly, the parties should be prepared to focus on the key issues in dispute and to answer questions from the Court.

NOTE: All court proceedings are recorded by audio and video method and not by a court reporter. Any party may request the presence of a court reporter by contacting this division (602-372-0754) three (3) court business days before the scheduled hearing.

Plaintiffs' counsel addresses the Court regarding their pending Motion to Amend Complaint. Defendants having indicated no objection thereto,

IT IS ORDERED granting the Motion to Amend Complaint to add Arizona State Board for Charter Schools as a Defendant in this case.

Plaintiffs' counsel is advised that he will need to serve the new party as expeditiously as possible.

Counsel are advised that the Court is available to discuss, by joint telephone call, simple discovery disputes or any other matter that may impact the parties' ability to resolve this case in a just, speedy, and inexpensive manner. See Rule 1, Ariz.R.Civ.P.

With respect to discovery disputes, counsel are also advised that, as the Court interprets Civil Rule 37(a)(2)(c), an exchange of correspondence between counsel is not sufficient to satisfy the "personal consultation" requirement of the Rule, except in extraordinary circumstances. At a minimum, counsel must speak to each other by telephone to attempt to resolve the dispute in good faith before involving the Court.

10:05 a.m. Matter concludes.